

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-02978-CJN**

GWICH'IN STEERING COMMITTEE et al v. U.S.
DEPARTMENT OF THE INTERIOR et al
Assigned to: Judge Carl J. Nichols
Case: 1:18-cv-02572-CJN
Case in other court: Alaska, 3:19-cv-00208
Cause: 05:552 Freedom of Information Act

Date Filed: 10/03/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**GWICH'IN STEERING
COMMITTEE**

represented by **David Alan Bahr**
BAHR LAW OFFICES, P.C.
1035 1/2 Monroe Street
Eugene, OR 97402
(541) 556-6439
Email: davebahr@mindspring.com
ATTORNEY TO BE NOTICED

Plaintiff

ALASKA WILDERNESS LEAGUE

represented by **David Alan Bahr**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

DEFENDERS OF WILDLIFE

represented by **David Alan Bahr**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

WILDERNESS SOCIETY

represented by **David Alan Bahr**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF THE
INTERIOR**

represented by **Daniel Patrick Schaefer**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2531
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Email: Daniel.Schaefer@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**U.S. BUREAU OF LAND
MANAGEMENT**

represented by **Daniel Patrick Schaefer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. FISH AND WILDLIFE SERVICE

represented by **Daniel Patrick Schaefer**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
07/31/2019	<u>1</u>	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF against All Defendants (Filing fee \$ 400 receipt number 097—2736070.), filed by All Plaintiffs.(Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
07/31/2019	<u>2</u>	Civil Cover Sheet. (Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
07/31/2019	<u>3</u>	Corporate Disclosure Statement by Alaska Wilderness League. (Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
07/31/2019	<u>4</u>	Corporate Disclosure Statement by Defenders of Wildlife. (Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
07/31/2019	<u>5</u>	Corporate Disclosure Statement by Gwich'in Steering Committee. (Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
07/31/2019	<u>6</u>	Corporate Disclosure Statement by The Wilderness Society. (Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
07/31/2019	<u>7</u>	MOTION for Leave to Appear as Pro Hac Vice (Non-Resident) Attorney David A. Bahr. (Pro Hac Vice Admission fee \$150.00 paid. Receipt number 097—2736174.) by Alaska Wilderness League, Defenders of Wildlife, Gwich'in Steering Committee, The Wilderness Society. (Attachments: # <u>1</u> Certificate of Good Standing)(Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
07/31/2019	<u>8</u>	Unissued summons re Defendant U.S. Department of the Interior, (Attachments: # <u>1</u> Unissued Summons re Defendant U.S. Bureau of Land Management, # <u>2</u> Unissued Summons re Defendant U.S. Fish and Wildlife Service)(PXS, COURT STAFF) [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
07/31/2019		Summons Issued as to U.S. Bureau of Land Management, U.S. Department of the Interior, U.S. Fish and Wildlife Service.(PXS, COURT STAFF) [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
07/31/2019	<u>9</u>	Amended Civil Cover Sheet. (Jenson, Maresa) Modified on 8/1/2019 to clarify docket text (JLH, COURT STAFF). [Transferred from Alaska on 10/3/2019.] (Entered: 07/31/2019)
08/01/2019	<u>10</u>	CLERK'S NOTICE re <u>7</u> Application to Appear Pro Hac Vice. The Application to Appear Pro Hac Vice by David A. Bahr, at docket <u>7</u> , is authorized under D.Ak. LR 83.1(d). (JLH, COURT STAFF) [Transferred from Alaska on 10/3/2019.] (Entered: 08/01/2019)
08/14/2019	<u>11</u>	SUMMONS Returned Executed by Alaska Wilderness League, Gwich'in Steering Committee, Defenders of Wildlife, The Wilderness Society. U.S. Bureau of Land Management served on 7/31/2019, answer due 9/30/2019. (Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 08/14/2019)
08/14/2019	<u>12</u>	SUMMONS Returned Executed by Alaska Wilderness League, Gwich'in Steering Committee, Defenders of Wildlife, The Wilderness Society. U.S. Department of the Interior served on 7/31/2019, answer due 9/30/2019. (Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 08/14/2019)
08/14/2019	<u>13</u>	SUMMONS Returned Executed by Alaska Wilderness League, Gwich'in Steering Committee, Defenders of Wildlife, The Wilderness Society. U.S. Fish and Wildlife Service served on 7/31/2019, answer due 9/30/2019. (Jenson, Maresa) [Transferred from Alaska on 10/3/2019.] (Entered: 08/14/2019)
09/16/2019	<u>14</u>	MOTION to Transfer and to Extend Time to Answer or Otherwise Respond by U.S. Bureau of Land Management, U.S. Department of the Interior, U.S. Fish and Wildlife Service. (Attachments: # <u>1</u> Exhibit A – Complaint, # <u>2</u> Exhibit B – District of Columbia Live Database, # <u>3</u> Exhibit C – LexisNexis CourtLink Search, # <u>4</u> Proposed

		Order)(Fonstad, John) [Transferred from Alaska on 10/3/2019.] (Entered: 09/16/2019)
09/21/2019	<u>15</u>	MOTION to Expedite (<i>Unopposed</i>) Consideration of Motion to Transfer and to Extend Time to Answer or Otherwise Respond by Alaska Wilderness League, Defenders of Wildlife, Gwich'in Steering Committee, The Wilderness Society. (Attachments: # <u>1</u> Proposed Order)(Brown, Valerie) [Transferred from Alaska on 10/3/2019.] (Entered: 09/21/2019)
09/21/2019	<u>16</u>	DECLARATION of Maresa Jenson re <u>15</u> MOTION to Expedite (<i>Unopposed</i>) Consideration of Motion to Transfer and to Extend Time to Answer or Otherwise Respond by Alaska Wilderness League, Defenders of Wildlife, Gwich'in Steering Committee, The Wilderness Society. (Brown, Valerie) [Transferred from Alaska on 10/3/2019.] (Entered: 09/21/2019)
09/21/2019	<u>17</u>	RESPONSE in Opposition re <u>14</u> MOTION to Transfer and to Extend Time to Answer or Otherwise Respond filed by Alaska Wilderness League, Defenders of Wildlife, Gwich'in Steering Committee, The Wilderness Society. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Brown, Valerie) [Transferred from Alaska on 10/3/2019.] (Entered: 09/21/2019)
09/21/2019	<u>18</u>	DECLARATION of Maresa Jenson re <u>17</u> Response in Opposition to Motion, by Alaska Wilderness League, Defenders of Wildlife, Gwich'in Steering Committee, The Wilderness Society. (Brown, Valerie) [Transferred from Alaska on 10/3/2019.] (Entered: 09/21/2019)
09/24/2019	<u>19</u>	RESPONSE in Opposition re <u>15</u> MOTION to Expedite (<i>Unopposed</i>) Consideration of Motion to Transfer and to Extend Time to Answer or Otherwise Respond (Partial) filed by U.S. Bureau of Land Management, U.S. Department of the Interior, U.S. Fish and Wildlife Service. (Fonstad, John) [Transferred from Alaska on 10/3/2019.] (Entered: 09/24/2019)
09/24/2019	<u>20</u>	ORDER granting <u>15</u> Motion to Expedite Consideration re 14 Motion to Transfer and to Extend Time to Answer or Otherwise Response. Reply due 9/27/19. Defendants to notify the court by 9/25/19 if no intention to file a reply. (JLH, COURT STAFF) [Transferred from Alaska on 10/3/2019.] (Entered: 09/24/2019)
09/27/2019	<u>21</u>	REPLY to Response to Motion re <u>14</u> MOTION to Transfer and to Extend Time to Answer or Otherwise Respond filed by U.S. Bureau of Land Management, U.S. Department of the Interior, U.S. Fish and Wildlife Service. (Attachments: # <u>1</u> Exhibit A– Dkt 14, # <u>2</u> Exhibit B– Dkt 15)(Fonstad, John) [Transferred from Alaska on 10/3/2019.] (Entered: 09/27/2019)
09/30/2019	<u>22</u>	ORDER granting <u>14</u> Motion to Transfer. Signed by Judge H. Russel Holland on 9/30/19. (JLH, COURT STAFF) [Transferred from Alaska on 10/3/2019.] (Entered: 09/30/2019)
10/03/2019	<u>23</u>	Case transferred in from District of Alaska; Case Number 3:19–cv–00208. Original file certified copy of transfer order and docket sheet received. (Entered: 10/03/2019)
10/08/2019	<u>24</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Maresa Jenson, :Firm– Trustees for Alaska, :Address– 1026 W. 4th Ave., Suite 201, Anchorage, AK 99501. Phone No. – (907) 308–8678. Fax No. – N/A Filing fee \$ 100, receipt number ADCDC–6430004. Fee Status: Fee Paid. by ALASKA WILDERNESS LEAGUE, DEFENDERS OF WILDLIFE, GWICH'IN STEERING COMMITTEE, WILDERNESS SOCIETY (Attachments: # <u>1</u> Declaration of Maresa Jenson in Support of Motion for Leave to Appear Pro Hac Vice, # <u>2</u> Text of Proposed Order Proposed Order Granting Motion to allow Maresa Jenson to Appear Pro Hac Vice)(Bahr, David) (Entered: 10/08/2019)
10/08/2019	<u>25</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Valerie Brown, :Firm– Trustees for Alaska, :Address– 1026 W. 4th Ave., Suite 201, Anchorage, AK 99501. Phone No. – (907) 308–5797. Fax No. – N/A Filing fee \$ 100, receipt number ADCDC–6430065. Fee Status: Fee Paid. by ALASKA WILDERNESS LEAGUE, DEFENDERS OF WILDLIFE, GWICH'IN STEERING COMMITTEE, WILDERNESS SOCIETY (Attachments: # <u>1</u> Declaration of Valerie Brown in Support of Motion for Leave to Appear Pro Hac Vice, # <u>2</u> Text of Proposed Order Proposed Order Granting Motion to allow Valerie Brown to Appear Pro Hac Vice)(Bahr, David)

		(Entered: 10/08/2019)
11/08/2019	<u>26</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/16/2019. Answer due for ALL FEDERAL DEFENDANTS by 9/15/2019. (Attachments: # <u>1</u> Declaration of Maresa Jenson, # <u>2</u> Exhibit A)(Bahr, David) (Entered: 11/08/2019)
11/13/2019	<u>27</u>	NOTICE of Appearance by Daniel Patrick Schaefer on behalf of All Defendants (Schaefer, Daniel) (Entered: 11/13/2019)
11/13/2019	<u>28</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint by U.S. BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, U.S. FISH AND WILDLIFE SERVICE (Attachments: # <u>1</u> Exhibit 1: Answer to the Complaint, # <u>2</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 11/13/2019)
11/28/2019		MINUTE ORDER. Upon review of Defendants' <u>28</u> Unopposed Motion for Extension of Time, it is hereby ORDERED that Defendants' Motion is GRANTED and that Defendants' Exhibit 28-1, designated as the Answer to Complaint, shall be accepted as filed. Now before the Court in this Freedom of Information Act case are a Complaint and an Answer. According to Local Civil Rule 16.3, the requirements of Federal Rule of Civil Procedure 26(f) are inapplicable. It is hereby ORDERED that the Parties shall confer and file a Joint Status Report on or before December 13, 2019. The Joint Status Report shall address: (1) the status of Plaintiffs' FOIA request; (2) the anticipated number of documents responsive to Plaintiffs' FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiffs; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the Parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Carl J. Nichols on November 27, 2019. (lccjn3) (Entered: 11/28/2019)
11/28/2019		MINUTE ORDER. The Court having considered Plaintiffs' <u>24</u> Motion for Leave for Maresa Jenson to Appear <i>Pro Hac Vice</i> , and it appearing to the Court that the attorney referenced therein meets the requirements for <i>pro hac vice</i> admission under Local Civil Rule 83.2(d), it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Maresa Jenson, 1026 W. 4th Ave., Suite 201, Anchorage, AK 99501 is ADMITTED to practice before the Court <i>pro hac vice</i> . Signed by Judge Carl J. Nichols on November 27, 2019. (lccjn3) (Entered: 11/28/2019)
11/28/2019		MINUTE ORDER. The Court having considered Plaintiffs' <u>25</u> Motion for Leave for Valerie Brown to Appear <i>Pro Hac Vice</i> , and it appearing to the Court that the attorney referenced therein meets the requirements for <i>pro hac vice</i> admission under Local Civil Rule 83.2(d), it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Valerie Brown, 1026 W. 4th Ave., Suite 201, Anchorage, AK 99501 is ADMITTED to practice before the Court <i>pro hac vice</i> . Signed by Judge Carl J. Nichols on November 27, 2019. (lccj3) (Entered: 11/28/2019)
12/02/2019		Set/Reset Deadlines: Parties Joint Status Report due by 12/13/2019. (mac) (Entered: 12/02/2019)